

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

ENRIQUE SCOTT,

Petitioner,

-v-

9:05-CV-1359
(LEK/VEB)

T.R. CRAIG, Warden, FCI Ray Brook,

Respondent.

DECISION AND ORDER

This matter comes before the Court following a Report-Recommendation filed on October 14, 2008, by the Honorable Victor E. Bianchini, United States Magistrate Judge, pursuant to 28 U.S.C. § 636(b) and L.R. 72.3(c) of the Northern District of New York. Report-Rec. (Dkt. No. 16).

Within ten days, excluding weekends and holidays, after a party has been served with a copy of a Magistrate Judge's Report-Recommendation, the party "may serve and file specific, written objections to the proposed findings and recommendations," FED. R. CIV. P. 72(b), in compliance with L.R. 72.1. No objections have been raised in the allotted time with respect to Judge Bianchini's Report-Recommendation. Furthermore, after examining the record, the Court has determined that the Report-Recommendation is not subject to attack for plain error or manifest injustice.

Accordingly, it is hereby

ORDERED, that the Report-Recommendation (Dkt. No. 16) is **APPROVED** and
ADOPTED in its **ENTIRETY**; and it is further

ORDERED, that Scott's amended Petition for a writ of habeas corpus (Dkt. No. 5) is

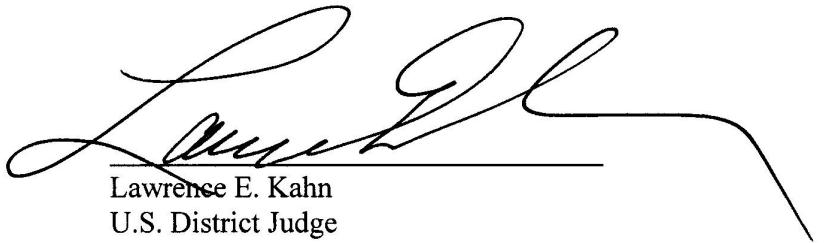
DENIED and DISMISSED in its entirety; and it is further

ORDERED, that no Certificate of Appealability shall issue with regard to any of Petitioner's claims; and it is further

ORDERED, that the Clerk serve a copy of this Order on all parties.

IT IS SO ORDERED.

DATED: November 07, 2008
Albany, New York



Lawrence E. Kahn
U.S. District Judge